

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

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JERRY VALENTINE, JR.,	:	
	:	Case No. 1:18-cv-1887
Plaintiff,	:	
	:	
vs.	:	OPINION & ORDER
	:	[Resolving Doc. <a href="#">13</a> ]
COMMISSIONER OF SOCIAL SECURITY,	:	
	:	
Defendant.	:	

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JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

In April 2015, Plaintiff Jerry Valentine, Jr. applied for supplemental security income alleging disability.<sup>1</sup>

The Social Security Administration denied his application initially and on reconsideration.<sup>2</sup> At Valentine’s request, an administrative law judge (“ALJ”) considered his case.<sup>3</sup> The ALJ concluded that Plaintiff Valentine was not disabled.<sup>4</sup> The Social Security Appeals Council denied Plaintiff’s request for review.<sup>5</sup>

Valentine then brought this suit, asking the Court to reverse the ALJ’s decision.<sup>6</sup> He argues that the ALJ lacked substantial evidence to find that Valentine did not require a cane, the ALJ failed to evaluate Valentine’s need to elevate his legs, and the ALJ erroneously and ambiguously found that Valentine was limited to superficial interaction with others.<sup>7</sup> Magistrate Judge Burke issued a Report and Recommendation (“R&R”) recommending that

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<sup>1</sup> Doc. [12](#) at 259.

<sup>2</sup> [Id.](#) at 172, 184.

<sup>3</sup> See [id.](#) at 189.

<sup>4</sup> [Id.](#) at 14.

<sup>5</sup> [Id.](#) at 5.

<sup>6</sup> Doc. [1](#).

<sup>7</sup> Doc. [13](#).

the Court affirm the ALJ's decision.<sup>8</sup>

If a party had objected to this R&R, the Court would consider the objected-to portions *de novo*.<sup>9</sup> However, because neither party has objected, the Court may adopt the R&R without review.<sup>10</sup>

Moreover, the Court has conducted its own review and agrees with Judge Burke—the evidence sufficiently supported the ALJ's conclusion.

Accordingly, the Court **ADOPTS** Magistrate Judge Burke's R&R and **AFFIRMS** the ALJ's decision.

IT IS SO ORDERED.

Dated: September 13, 2019

*s/ James S. Gwin*  
JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE

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<sup>8</sup> Doc. 18.

<sup>9</sup> 28 U.S.C. § 636(b)(1).

<sup>10</sup> *Thomas v. Arn*, 474 U.S. 140, 149 (1985).